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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,797	03/27/2001	Michael Hermann	741124-79	8356
25570 7590 09/10/2010 ROBERTS MLOTKOWSKI SAFRAN & COLE, P.C. Intellectual Property Department P.O. Box 10064 MCLEAN, VA 22102-8064				
EXAMINER				
CHANG, AUDREY Y				
ART UNIT		PAPER NUMBER		
2872				
NOTIFICATION DATE		DELIVERY MODE		
09/10/2010		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* MICHAEL HERMANN

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Appeal 2010-011627  
Application 09/817,797  
Technology Center 2800

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Before DALE M. SHAW, *Division 2 Support Administrator*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 7, 2010. A Docketing Notice was mailed on September 10, 2010. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

UNDECIDED PETITIONS

Petitions to the Director were filed on October 20, 2008 and May 8, 2009. However, there is no indication in the record that the Petitions were decided.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to have the Petitions filed October 20, 2008 and May 8, 2009 decided;
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KIS

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